

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
(Eastern Division)**

UNITED STATES, *ex rel.*
PHILIP BORRIS, *et al.*

Relators,

v.

BECHTEL-JACOBS, CO., LLC,
et al.

Defendants.

Civil Action No. 2:06cv873

Judge Edmund A. Sargus, Jr.
Magistrate Judge Mark R. Abel

ORDER OF DISMISSAL - Stipulated

WHEREAS, Defendant Bechtel-Jacobs, LLC and Relators have agreed to dismiss Relators' claims against Defendant Bechtel-Jacobs, LLC, with prejudice, including but not limited to, Relators' claims brought on behalf of the United States; and

WHEREAS, the United States has filed its intent not to intervene in the action and consents to a dismissal of claims against Bechtel-Jacobs, LLC without prejudice as to the United States;

WHEREAS, the Court, having been informed that the Relators and Defendant have agreed to a dismissal of the Relators' claims against Bechtel-Jacobs, LLC with prejudice, it finds that such a resolution is fair, adequate, and reasonable; it is hereby

ORDERED that except as expressly agreed upon by the parties in writing in advance of this Order, each party shall pay for its own attorneys fees, costs and expenses;

ORDERED that Relators' claims against Defendant Bechtel-Jacobs, LLC are dismissed with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, provided, however, that the Court shall retain jurisdiction to enforce the terms of the Settlement Agreement between the parties; and

ORDERED that the United States' claims against Defendant Bechtel-Jacobs, LLC are dismissed without prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Dated: Aug. 9th, 2007



United States District Court